

## Declaration & Power of Attorney For Utility Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one inventor is listed below) or an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled New Applications of Gene Therapy Technology, the specification of which

[X] is attached hereto.

[ ] was filed on \_\_\_\_\_ as United States Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 of the Code of Federal Regulations.

I hereby claim foreign priority benefits under Title 35, USC 119 (a) - (d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below by checking the box, any foreign application for patent or inventor's certificate or any PCT International patent application having a filing date before that of the application on which priority is claimed:

### **Prior Foreign Application(s)**

<u>Patent App. Number</u>	<u>Country</u>	<u>Foreign Filing Date</u>	<u>Priority Not Claimed</u>	<u>Certified Copy Attached</u>
PCT US98/04525	PCT	March 7, 1997	<input type="checkbox"/>	<input type="checkbox"/> yes <input type="checkbox"/> no

☒ I hereby claim the benefit under Title 35, USC 119(e) of any United States provisional application(s) listed below

<u>Application Number</u>	<u>Filing Date</u>	<u>Status</u>
60/013,014	March 7, 1996	Expired

I hereby claim the benefit under Title 35, USC 120 of any United States application(s) or §365 (c) of any PCT International application designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, USC 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>US Appln. Ser. No.</u>	<u>Filing Date</u>	<u>Status</u>
08/400,643	March 7, 1995	Abandoned
08/813,771	March 7, 1997	Pending

As a named inventor, I hereby appoint the following registered patent attorney to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

David L. Bernstein, Registration No. 31,235

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Michael Z. Gilman  
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